

28206
022304
U.S. PTO22553 U.S. PTO
10/785167
022304

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
	CLASS	SUBCLASS	EXAMINER	ART UNIT
G&C 30448.95-US-D1	435	040500	Randall O. Winston	1654

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

'Express Mail' mailing label number: EV 329955223US

Date of Deposit: February 23, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Commissioner for Patents, Alexandria, VA 22313-1450.

By: *Isabell Ogata*
Name: Isabell Ogata

DIVISIONAL APPLICATION UNDER 37 C.F.R. §1. 53(b)

Mail Stop NEW PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a Divisional application under 37 CFR § 1.53(b) of Serial No. 09/935,507, filed on August 23, 2001 entitled "FROZEN TISSUE MICROARRAY TECHNOLOGY FOR ANALYSIS OF RNA, DNA, AND PROTEINS" by the following inventor(s):

(1)	Full Name Of Inventor	Family Name SLAMON	First Given Name DENNIS	Second Given Name J.
	Residence & Citizenship	City Woodland Hills	State or Foreign Country California	Country of Citizenship U.S.A.
	Post Office Address	Post Office Address 23122 Calvert Street	City Woodland Hills	State & Zip Code/Country California 91367/U.S.A.
(2)	Full Name Of Inventor	Family Name FEJZO	First Given Name MARLENE	Second Given Name SCHOENBERG
	Residence & Citizenship	City Los Angeles	State or Foreign Country California	Country of Citizenship U.S.A.
	Post Office Address	Post Office Address 12206 Tweed Lane	City Los Angeles	State & Zip Code/Country California 90049/U.S.A.

- Enclosed is a copy of the prior application; including the specification, claims, informal drawings, oath or declaration showing the applicant's signature, and any amendments referred to in the oath or declaration filed to complete the prior application. (It is noted that no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.)
- The Divisional application is as follows: 16 pages of specification, 5 claims, 1 page of abstract, 3 sets of color formal drawings for Figs. 1-4, and 4 pages of oath or declaration.
- A Preliminary Amendment is enclosed.
- The fee has been calculated as shown below in the "Claims as Filed" table.

CLAIMS AS FILED

Number of Claims Filed	In Excess of:	Number Extra	Rate	Fee
Basic Filing Fee				\$385.00
Total Claims				
5	20	0	x \$9.00	= \$0.00
Independent Claims				
2	3	0	x \$43.00	= \$0.00
MULTIPLE DEPENDENT CLAIM FEE				\$0.00
TOTAL FILING FEE				\$385.00

- A Verified Statement...Nonprofit Organization has been filed in parent application Serial No. 09/935,507.
- A charge to Deposit Account No. 50-0494 in the amount of \$385.00 to cover the Filing Fee.
- An Information Disclosure Statement and Form PTO-1449 are enclosed.
- Petition Under 37 C.F.R. 1.84(2) and three (3) sets of color drawings corresponding to Figures 1-4.
- Please charge Deposit Account No. 50-0494 in the amount of \$130.00 for the Petition under 37 C.F.R. 1.84(2).
- The Power of Attorney in the prior application is to:

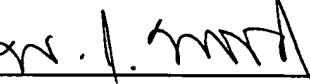
George H. Gates, Reg. No. 33,500; Victor G. Cooper, Reg. No. 39,641; Karen S. Canady, Reg. No. 39,927; William J. Wood, Reg. No. 42,236; Jason S. Feldmar, Reg. No. 39,187, and Bradley K. Lortz, Reg. No. 45,472, of the law firm of Gates & Cooper LLP.

- An Assignment of record to The Regents of the University of California has been filed in parent application Serial No. 09/935,507.
- Address all future communications to the **Attention of William J. Wood at Gates & Cooper LLP, Howard Hughes Center, 6701 Center Drive West, Suite 1050, Los Angeles, California 90045, Telephone: (310) 641-8797.**
- A return postcard is enclosed.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

Please charge all fees to Deposit Account No. 50-0494 of Gates & Cooper LLP. A duplicate of this paper is enclosed.

Customer Number 22462
GATES & COOPER LLP
 Howard Hughes Center
 6701 Center Drive West, Suite 1050
 Los Angeles, CA 90045
 (310) 641-8797

By: 
 Name: William J. Wood
 Reg. No.: 42,236
 WJW/io

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Dennis J. Slamon et al.

Docket: G&C 30448.95-US-D1

Title: FROZEN TISSUE MICROASSAY TECHNOLOGY FOR ANALYSIS OF RNA, DNA, AND PROTEINS

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

'Express Mail' mailing label number: EV 329955223US

Date of Deposit: February 23, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

By: 
Name: Isabell Ogata

Mail Stop NEW PATENT APPLICATION
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION UNDER 37 C.F.R. §1.84(2)

Applicants submit this Petition for the acceptance of color drawings corresponding to Figures 1-4 of the above-identified patent application. The figures illustrates in fine, photographic-quality, detail how the methods claimed in the subject application are able to characterize samples of biological materials stained with a variety of colorimetric reagents utilized in the relevant art. The color of these figures significantly enhances the level of detail depicted therein, apprising those skilled in the art of the selective staining characteristics of the claimed methods (e.g. the ability to colorimetrically label a targeted biological molecule with relatively little background staining), features which are relevant to practice of the claimed invention.

Applicants submit herewith the fee set forth in 37 C.F.R. §1.17(h) and three (3) sets of color drawings corresponding to Figures 1-4 of the above-identified application. The specification of the subject application, which is being filed herewith, includes the paragraph required by 37 C.F.R. §1.84(2)(iii) as the first paragraph in that portion of the specification relating to the Brief Description of the Drawings.

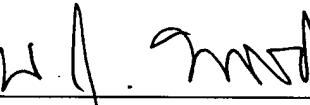
Respectfully submitted,

Dennis J. Slamon et al.

By their attorneys,

GATES & COOPER
6701 Center Drive West, Suite 1050
Los Angeles, California 90045
(310) 642-4140

Date: February 23, 2004

By: 
William J. Wood
Reg. No.: 42,236

WJW/io